



## **FACT SHEET: PATHWAYS FOR PROVING IDAHO RESIDENCY**

A student may prove classification as an Idaho resident for tuition purposes by meeting the criteria for one of the following options.

1. Dependent Student: Any student who has one or more parent(s)/legal guardian(s) ("parent/guardian") who is domiciled in Idaho and provides at least 50% of the student's financial support. The parent/guardian must have maintained a bona fide domicile in Idaho for at least 12 months prior to the semester in which the student is applying for residency. The parent/guardian must prove establishment of domicile in Idaho.
2. Independent Student: Any student receives less than 50% financial support from a parent/guardian; has continuously resided in, and maintained a bona fide domicile in Idaho for purposes other than education for at least 12 months prior to the semester in which the student is applying for residency.
3. Graduate of an Idaho High School. Any student who is a graduate from an accredited Idaho high school, who immediately following graduation enrolls in an Institution regardless of the residence of the student's parent or guardian (except if a non-US citizen (*see*, definition of non-resident below)).
4. Married to an Idaho Resident. Any student who is married to a person who is classified, or eligible for classification, as an Idaho resident for the purpose of attending an Idaho Institution.
5. Armed Forces. Any student, the spouse of the student, or the parent/guardian of a dependent student who meets one of the following criteria:
  - a. Member of the Armed Forces who entered service as an Idaho resident, has maintained Idaho resident status, but is stationed outside of Idaho on military orders.
  - b. Member of the Armed Forces stationed in Idaho on military orders.
  - c. Officer or enlisted member of the Idaho National Guard.
  - d. Member who has been separated, under honorable conditions, from the Armed Forces after at least 2 years of service
    - i. Who at the time of separation designated Idaho as the intended domicile, and within 1 year of the date of separation enters an Idaho Institution; or
    - ii. Who listed Idaho as the home of record in service, and within 1 year of the date of separation enters an Idaho Institution; or
    - iii. Who moves to Idaho for the purpose of establishing domicile; provided however, to maintain status as a resident student, such person must actively establish domicile in Idaho within 1 year of registration at an Institution.
6. Student Away from Idaho. A student who continuously resided and was domiciled in Idaho for a least 12 months immediately prior to departure from Idaho, has been away from Idaho less than 30 months not including time spent at an postsecondary institution outside of Idaho, and has not established legal residence elsewhere.



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7. Member of the following Native American Tribes. Members of the following Native American Tribes “whose traditional and customary tribal boundaries included portions of the state of Idaho, or whose Indian tribe was granted reserved lands within the state of Idaho”:
- a. Coeur d’Alene;
  - b. Shoshone-Paiute;
  - c. Nez Perce;
  - d. Shoshone-Bannock;
  - e. Kootenai; or
  - f. Eastern Shoshone

### **Becoming an Idaho Resident.**

The establishment of domicile in Idaho by a person formerly domiciled outside of Idaho has occurred for residency purposes if the person is present in Idaho primarily for purposes other than educational.

If the individual for whom Idaho domicile is sought to be proven is a student and has been enrolled for more than 8 credits at an Idaho Institution at any time during the past 12 months, that individual is presumed to be in Idaho primarily for educational purposes and is a non-resident unless able to rebut the presumption of non-residency by:

1. Meeting at least one of the following 3 criteria for 12 months before the semester for which residency is sought:

- a) Filing of Idaho state income tax return
- b) Held permanent full-time employment or the hourly equivalent in Idaho (40 hrs/wk); OR
- c) Student owned living quarters in Idaho

OR

2. Proving at least five of the following type of criteria for 12 months before the semester for which residency is sought:

- a) Rented a home in Idaho;
- b) Registration and payment of Idaho taxes or fees;
- c) Registration to vote in Idaho;
- d) Holding an Idaho driver’s license or ID card;
- e) Evidence of abandonment of a previous domicile;
- f) Presence of household goods in Idaho;
- g) Establishment of accounts with Idaho financial institutions;
- h) Other similar factors such as:
  - a. Enrollment of dependent children in Idaho primary or secondary schools
  - b. Acceptance of permanent employment in Idaho
  - c. Documentation of need to care for relative in Idaho



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### **IMPORTANT DEFINITIONS**

Non-resident. A non-resident student is any student who:

1. does not qualify for residency under the above options; or
2. attends an Institution with financial assistance from another state, such non-residency continuing for 1 year after completion of the semester for which such assistance is last provided. WUE is classified as such financial assistance and is a disqualifying factor for Idaho residency; or
3. is not a citizen of the United States citizen, unless the person can prove domicile in Idaho for the required 12 months and holds:
  - a. permanent or temporary resident status with the United States Citizen and Immigration Services ("USCIS");
  - b. "refugee-parolee" or "conditional entrant" status with the USCIS; or
  - c. is otherwise permanently residing in the United States under color of the law.

Domicile is an individual's true, fixed and permanent home and place of habitation; it is the place where the individual intends to remain and expects to return to when leaving without establish a new domicile elsewhere. Residency for a dependent student is based on the domicile of the student's parent/guardian. Residency for an independent student is based on the domicile of the independent student or the student's spouse. Factors considered by Institutions in the analysis of domicile are listed above.

Continuously Resided means has maintained a physical presence in Idaho for 12 consecutive months without an absence totaling more than 30 days. An independent student must have continuously resided in Idaho for the 12 months prior to the term for which residency is sought. Evidence of physical presence in Idaho might include: utility statements; rental agreement; bank statements; documentation from Idaho employer, etc.

Primarily Educational Purposes means enrollment in more than 8 credit hours in any semester during the past 12 months.

Armed Forces means the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, and does not include the Reserves.